



The Commonwealth of Massachusetts

**DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY**

NOTICE OF FILING, PUBLIC AND EVIDENTIARY HEARING

D.T.E. 05-6

March 24, 2005

Petition of Assabet Water Company, Inc., pursuant to G.L. c. 165, § 4, for approval by the Department of Telecommunications and Energy of the expansion of its franchise area established in D.P.U. 17524 (February 28, 1973).

On February 8, 2005, Assabet Water Company, Inc. ("Company" or "Assabet"), filed with the Department of Telecommunications and Energy ("Department") a petition for approval of the expansion of its franchise area established in D.P.U. 17524 (February 28, 1973). The Company requests that the Department approve an expansion of its franchise area by removing the current restriction which limits the Company's ability to provide a public water supply to a residential development in Stow, Massachusetts, known as Harvard Acres. Assabet asserts that it has the administrative, financial and technical capacity to meet current public water supply needs in the Stow, Massachusetts area and that the expansion will have positive benefits for the community.

The Department will conduct a public hearing to receive comments on the Company's petition, immediately followed by an evidentiary hearing. The hearing will take place on Thursday, May 12, 2005, at 2:00 p.m. at the Department's offices, One South Station - 2nd Floor, Boston, MA 02110. Any person who desires to comment may do so at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Wednesday, May 11, 2005.

A copy of Assabet's filing is on file at the Department's offices, One South Station, Boston, Massachusetts for public view during business hours. Copies are also on file for public view at Assabet Water Company, Inc., 70 Foster Street, Southbridge, Massachusetts 01550. Any person desiring further information regarding Assabet's filing should contact counsel for Assabet, Robert F. Dore, Jr., Esq., at (508) 798-8621. Any person desiring

further information regarding this notice should contact Julie Howley Westwater, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3500.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business (5:00 p.m.) on Thursday, May 5, 2005. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03, including a description of the manner in which the petitioner is substantially and specifically affected by this proceeding. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A late filed petition may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2nd Floor, Boston, Massachusetts 02110, not later than the close of business (5:00 p.m.) on Wednesday, May 11, 2005. One copy each of all written comments and petitions to intervene must also be sent to James Byrnes, Thomas Carey, Paul Osborne, and Julie Howley Westwater, at the Department of Telecommunications and Energy, and one copy to counsel for the Company, Robert F. Dore, Jr. Esq., Fletcher, Tilton & Whipple, P.C., 370 Main Street, 12th Floor, Worcester, Massachusetts, 01608.

All written comments also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and julie.westwater@state.ma.us, or (2) on a 3.5" disk. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding [D.T.E. 05-6]; (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing also should include the name, title and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel Word Perfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's Web site: <http://www.mass.gov/dte/>.



The Commonwealth of Massachusetts

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

ORDER OF NOTICE

D.T.E. 05-6

March 24, 2005

Petition of Assabet Water Company, Inc., pursuant to G.L. c. 165, § 4, for approval by the Department of Telecommunications and Energy of the expansion of its franchise area established in D.P.U. 17524 (February 28, 1973).

The Company is required to give notice of said hearing and request for comments by publication hereof once at least seven (7) days prior to the close of the comment period in the MetroWest Daily News (Framingham). The Company shall also post by mail a copy of this Notice and Order, at least seven (7) days prior to the close of the comment period to: the Chairman of the Boards of Selectmen, the Town Managers, and the Town Clerks in Acton, Bolton, Boxborough, Harvard, Hudson, Maynard, Stow, and Sudbury; and any person who has filed a request for notice with the Company. The Company is required to make return of service, to include the original clippings of the newspaper publications, at the close of the comment period.

By Order of the Department,

Mary L. Cottrell, Secretary